

Laura L. Donaldson - OSB# 022930
Kuni Donaldson, LLP
1975 SW First Avenue
Suite H
Portland, OR 97201
Telephone: (503) 227-3004

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In Re:)	
)	Case No: 12-38886-tmb13
Sutton Lester Bodry)	
Lisa Ann Bodry)	
)	
Debtors)	
<hr/>		
)	Adversary Proceeding No: 13-03068-tmb
Sutton Lester Bodry)	
Lisa Ann Bodry)	
)	
Plaintiffs,)	
)	MOTION FOR ORDER OF DEFAULT
v.)	AGAINST DISCOVER BANK, ISSUER
)	OF THE DISCOVER CARD
)	
Discover Bank, Issuer of the)	
Discover Card)	
)	
Defendant.)	

COMES NOW the Debtors, by and through their attorney, Laura L. Donaldson, and moves this Court for an Order of Default. This Motion is supported by the attached Affidavit of Laura L. Donaldson and Federal Rule of Bankruptcy Procedure 7012.

SO MOVED and submitted this 30th day of April, 2013.

/s/ Laura L. Donaldson
Laura L. Donaldson, OSB# 022930

Kuni Donaldson, LLP
1975 SW 1st Ave., Suite H
Portland OR 97201
Telephone: 503-227-3004

Laura L. Donaldson - OSB# 022930
Kuni Donaldson, LLP
1975 SW First Avenue
Suite H
Portland, OR 97201
Telephone: (503) 227-3004

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In Re:)
) Case No: 12-38886-tmb13
Sutton Lester Bodry)
Lisa Ann Bodry)
)
Debtors.)
_____)
) Adversary Proceeding No: 13-03068-tmb
Sutton Lester Bodry)
Lisa Ann Bodry)
)
Plaintiffs,)
) AFFIDAVIT OF LAURA L. DONALDSON
v.) IN SUPPORT OF MOTION FOR ORDER
) OF DEFAULT
)
Discover Bank, Issuer of the)
Discover Card)
)
Defendant.)

STATE OF OREGON)
) ss.
County of Multnomah)

I, Laura L. Donaldson, being first duly sworn, depose and say:

1. I am the attorney for Plaintiffs herein and I have personal knowledge of the facts testified hereto.
2. Discover Bank, Issuer of the Discover Card, was served with true copies of the Complaint and Summons and a copy of Local Bankruptcy Rule 7026-1 via certified first

////

Kuni Donaldson, LLP
1975 SW 1st Ave., Suite H
Portland OR 97201
Telephone: 503-227-3004

class mail, as required by Federal Rule of Bankruptcy Procedure 7004, on March 18, 2013.

3. The Summons was issued on March 14, 2013.

4. Pursuant to Federal Rule of Bankruptcy Procedure 7012, an Answer was required within thirty (30) days prior to April 18, 2013.

5. Defendant did not file an Answer within the time provided by Federal Rule of Bankruptcy Procedure 7012.

6. Defendant Discover Bank, Issuer of the Discover Card, is not a minor nor incapacitated.

7. I make this Affidavit in Support of the Motion for Order of Default.

DATED this 30th day of April, 2013

/s/ Laura L. Donaldson
Laura L. Donaldson- OSB# 022930

STATE OF OREGON)
) ss.
County of Multnomah)

SUBSCRIBED AND SWORN TO before me this 30th day of April, 2013.

/s/ Rory K. Schellinger
Notary of the Public for the State of Oregon
My Commission expires: 3/1/2015

Kuni Donaldson, LLP
1975 SW 1st Ave., Suite H
Portland OR 97201
Telephone: 503-227-3004

Laura L. Donaldson - OSB# 022930
Kuni Donaldson, LLP
1975 SW First Avenue
Suite H
Portland, OR 97201
Telephone: (503) 227-3004

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In Re:)	
)	Case No: 12-38886-tmb13
Sutton Lester Bodry)	
Lisa Ann Bodry)	
)	
Debtors.)	
<hr/>		
)	Adversary Proceeding No: 13-03068-tmb
Sutton Lester Bodry)	
Lisa Ann Bodry)	
)	
Plaintiffs,)	
v.)	CERTIFICATE OF SERVICE
)	
Discover Bank, Issuer of the)	
Discover Card)	
)	
Defendant.)	

I hereby certify that on April 30, 2013 a copy of the Motion for Order of Default and a copy of the Affidavit of Laura L. Donaldson in Support of the Motion for Order of Default was served electronically or by regular mail to all interested parties, the Trustee, and all creditors below:

Discover Bank
c/o David W Nelms - CEO
502 E Market Street
Greenwood DE 19950

Dated: April 30, 2013

/s/ Laura L. Donaldson
Laura L. Donaldson- OSB# 022930

Kuni Donaldson, LLP
1975 SW 1st Ave., Suite H
Portland OR 97201
Telephone: 503-227-3004